

FIRST REGULAR SESSION

[PERFECTED]

HOUSE BILL NO. 1039

98TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE DUGGER.

2316H.01P

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal section 115.761, RSMo, and to enact in lieu thereof one new section relating to filing fees for presidential elections.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Section 115.761, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 115.761, to read as follows:

115.761. 1. The official list of presidential candidates for each established political party shall include the names of all constitutionally qualified candidates for whom, on or after 8:00 a.m. on the fifteenth Tuesday prior to the presidential primary, and on or before 5:00 p.m., on the eleventh Tuesday prior to the presidential primary, a written request to be included on the presidential primary ballot is filed with the secretary of state along with:

(1) Receipt of payment to the state committee of the established political party on whose ballot the candidate wishes to appear of a filing fee [of one thousand] **in an amount up to ten thousand dollars as set by bylaw or rule of the established political party**; or

(2) A written statement, sworn to before an officer authorized by law to administer oaths, that the candidate is unable to pay the filing fee and does not have funds in a campaign fund or committee to pay the filing fee and a petition signed by not less than five thousand registered Missouri voters, as determined by the secretary of state, that the candidate's name be placed on the ballot of the specified established political party for the presidential preference primary. The request to be included on the presidential primary ballot shall include each signer's printed name, registered address and signature and shall be in substantially the following form:

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

16 I (We) the undersigned, do hereby request that the name of be placed
17 upon the February,, presidential primary ballot as candidate for nomination as the
18 nominee for President of the United States on the party ticket.

19 2. The state or national party organization of an established political party that adopts
20 rules imposing signature requirements to be met before a candidate can be listed as an official
21 candidate shall notify the secretary of state by October first of the year preceding the presidential
22 primary.

23 3. Any candidate or such candidate's authorized representative may have such candidate's
24 name stricken from the presidential primary ballot by filing with the secretary of state on or
25 before 5:00 p.m. on the eleventh Tuesday prior to the presidential primary election a written
26 statement, sworn to before an officer authorized by law to administer oaths, requesting that such
27 candidate's name not be printed on the official primary ballot. Thereafter, the secretary of state
28 shall not include the name of that candidate in the official list announced pursuant to section
29 115.758 or in the certified list of candidates transmitted pursuant to section 115.765.

30 4. The filing times set out in this section shall only apply to presidential preference
31 primaries, and are in lieu of those established in section 115.349.

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